

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe that I am one of the original, first and joint inventors (namely, James R. Braig, a United States citizen having a residence and mailing address at 280 Mountain Avenue, Piedmont, California 94611, Ken I. Li, a United States citizen having a residence and mailing address at 53 Calvert Court, Piedmont, California 94611, Kenneth G. Witte, a United States citizen having a residence and mailing address at 1547 Petersen Avenue, San Jose, California 95129, Peter Rule, a United States citizen having a residence and mailing address at 24183 Hillview Road, Los Altos Hills, California 94024, and Philip C. Hartstein, a United States citizen having a residence and mailing address at 171 Bryant St. Apt. G, Palo Alto, California 94301) of the subject matter which is claimed and for which a patent is sought on the invention entitled **SAMPLE ELEMENT QUALIFICATION**; the specification of which was filed on **April 15, 2004** as Application Serial No. **10/824,933**;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application listed below.

Application No.: **60/463,156**

Filing Date: **April 15, 2003**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: **James R. Braig**

Inventor's signature _____

Date _____

10-19-04

Residence: **280 Mountain Avenue, Piedmont, California 94611**

Citizenship: **United States**

Mailing Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of

Alameda

} SS.

On October 19, 2004

(DATE)

before me,

Jennifer Villavert Le

(NOTARY)

personally appeared

James R. Braig

(SIGNER(S))

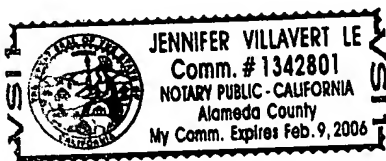


personally known to me

- OR -



proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jennifer Villavert Le

(NOTARY'S SIGNATURE)

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)



INDIVIDUAL



CORPORATE OFFICER

CTO

(TITLE(S))



PARTNER(S)



ATTORNEY-IN-FACT



TRUSTEE(S)



GUARDIAN/CONSERVATOR



OTHER:

DESCRIPTION OF ATTACHED DOCUMENT

Declaration - USA Patent Applic

(TITLE OR TYPE OF DOCUMENT)

1

(NUMBER OF PAGES)

April 15, 2004

(DATE OF DOCUMENT)

OPTIS 100A

(OTHER)

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

OPTISCAN BIOMEDICAL CORP.

RIGHT THUMBPRINT

OF

SIGNER

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Full name of inventor: **Kenneth G. Witte**

Inventor's signature

Date

Oct 19, 2004

Residence: 1547 Petersen Avenue, San Jose, California 95129

Citizenship: **United States**

Mailing Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

} SS.

On Oct. 19, 2004

(DATE)

before me, Jennifer Villavert Le

(NOTARY)

personally appeared Kenneth G. Witte

SIGNER(S)

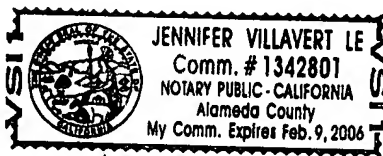


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proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE

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- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☒ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
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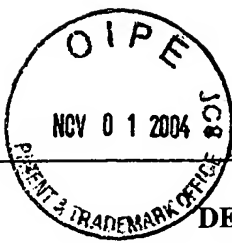
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Full name of inventor: **Philip C. Hartstein**

Inventor's signature

Date

19. October 2004

Residence: **171 Bryant St. Apt. G, Palo Alto, California 94301**

Citizenship: **United States**

Mailing Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

subscribing witness
10/19/2004

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Full name of inventor: **Ken I. Li**

Inventor's signature *Ken I. Li*

Date *Oct. 19, 2004*

Michelle Saubach
subscribing witness 10/19/04

Residence: **53 Calvert Court, Piedmont, California 94611**

Citizenship: **United States**

Mailing Address: **Same**

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Full name of inventor: **Peter Rule**

Inventor's signature _____

Date _____

Oct. 19, 2004

Michelle Faubach
subscribing witness 10/19/04

Residence: **24183 Hillview Road, Los Altos Hills, California 94024**

Citizenship: **United States**

Mailing Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

SUBSCRIBING WITNESS JURAT

State of California

County of Alameda } SS.

On October 19, 2004, before me, the undersigned, a notary public for the state, personally

appeared Michelle Loubach, personally known to me ~~(or proved to~~

me on the oath of _____, who is personally known to me) to

CREDIBLE WITNESS'S NAME

be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that he/she was present and

saw Ken I. Li + Peter Rule + Philip Horststein the

NAME(S) OF PRINCIPAL(S)

same person(s) described in and whose name(s) ~~is~~ are subscribed to the within and annexed instrument in his/her/their authorized capacity(ies) as (a) party(ies) thereto, execute the same, and that said affiant subscribed his/her name to the within instrument as a witness at the request of

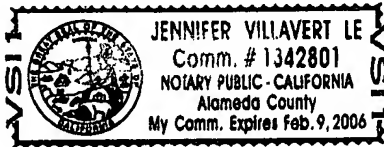
Ken I. Li + Peter Rule + Philip Horststein

NAME(S) OF PRINCIPAL(S)

WITNESS my hand and official seal.

Jennifer Villavert Le

NOTARY'S SIGNATURE



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TITLE OR TYPE OF DOCUMENT

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SIGNER

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